

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ALAN LYNN MCDONALD, )  
Petitioner, )  
 )  
v. ) No. 3:18-cv-891-S (BT)  
 )  
LORIE DAVIS, Director, TDCJ-CID) )  
Respondent. )

JUDGMENT

The Court has entered its Order Accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that the successive habeas petition is **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit pursuant to *In re Epps*, 127 F.3d 364, 365 (5<sup>th</sup> Cir. 1997). *See* 28 U.S.C. § 2244(b)(3); 28 U.S.C. § 1631.<sup>1</sup>

The Clerk's Office shall transmit a true copy of this Judgment, together with a true copy of the Order accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, to the parties.

SO ORDERED this 23<sup>rd</sup> day of May, 2019.

  
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UNITED STATES DISTRICT JUDGE

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<sup>1</sup> An order transferring a successive application to the court of appeals is not a final order requiring a certificate of appealability. *See United States v. Fulton*, 780 F.3d 683, 688 (5th Cir. 2015).